

PATENT

Attorney Docket No. 2356.0010-04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Marc ALIZON et al.

Application No.: Unassigned  
(Cont. of U.S.S.N. 08/423,477 (4/19/95))

Filed: January 23, 2001

For: VARIANT OF LAV VIRUSES

)  
)  
)  
) Group Art Unit: Unassigned  
)  
) Examiner: Unknown  
)  
)

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

TRANSMITTAL LETTER

Applicants enclose the following:

1. Petition for One Month Extension of Time in Application Serial No. 08/423,477;
2. Request for Filing a Continuation Application under 37 C.F.R. § 1.53(b) of pending prior Application Serial No. 08/423,477;
3. Copy of As-Filed Prior Application Serial No. 07/038,332 (49 pages of specification including written description, claims and abstract); 22 sheets of drawings (including Figs. 1A, 1B, 2, 3A, 3B, 3C, 3D, 3E, 3F, 4A, 4B, 5, 6A, 6B, 7A, 7B, 7C, 7D, 7E, 7F, 7G, 7H, and 7I); and 2 pages of oath/declaration);
4. Preliminary Amendment;

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jc531 U.S. PTO  
09/767138  
01/23/01

5. Submission of Formal Drawings, including 34 sheets of drawings (including Figs. 1A, 1B, 2, 3A-1, 3A-2, 3B-1, 3B-2, 3C-1, 3C-2, 3D-1, 3D-2, 3E-1, 3E-2, 3F-1, 3F-2, 4A, 4B, 5, 6A-1, 6A-2, 6A-3, 6B-1, 6B-2, 6B-3, 6B-4, 7A, 7B, 7C, 7D, 7E, 7F, 7G, 7H, and 7I); and
6. A \$2,726 Check (\$110 one month extension fee; \$710 filing fee; \$1,476 extra claims; \$160 two extra independent claims; \$270 first presentation of multiple-dependent claims).

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By: 

Salvatore J. Arrigo

Reg. No. 46,063

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Date: January 23, 2001

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PATENT

Attorney's Docket Number: 2356.0010-04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Prior Application: Art Unit: 1648  
Examiner: J. PARKIN

SIR: This is a request for filing a

■ Continuation □ Continuation-in-Part □ Divisional Application under 37 C.F.R.  
§ 1.53(b) of pending prior application Serial No. 08/423,477 filed April 19, 1995  
of Marc ALIZON et al. for VARIANT OF LAV VIRUSES  
[Inventor(s)] [Title of Invention]

1. ■ Enclosed is a complete copy of the prior application including the oath or Declaration and drawings, if any, as originally filed. I hereby verify that the attached papers are a true copy of prior application Serial No. 07/038,332 as originally filed on April 13, 1987, which is incorporated herein by reference.
2. □ Enclosed is a substitute specification under 37 C.F.R. § 1.125.
3. □ Enclosed is a Request for Non-Publication of Application and Certification Under 35 U.S.C. § 1.22(b)(2)(B)(i).
4. ■ ~~Cancel Claims 2-22.~~
5. ■ A Preliminary Amendment is enclosed.
6. ■ The filing fee is calculated on the basis of the claims existing in the prior application as amended at 3 and 4 above.

|  |                  |   |       |              |                                  |             |
|--|------------------|---|-------|--------------|----------------------------------|-------------|
| Basic Application Filing Fee                 |                  |   |       |              | \$710                            | \$ 710.00   |
|  | Number of Claims |   | Basic | Extra Claims |                                  |             |
| Total Claims                                 | 102              | - | 20    | 82           | x \$18                           | 1,476.00    |
| Independent Claims                           | 5                | - | 3     | 2            | x \$80                           | 160.00      |
| [ ✓ ] Presentation of Multiple Dep. Claim(s) |                  |   |       |              | +\$270                           | 270.00      |
|  |                  |   |       |              | Subtotal                         | \$ 2,616.00 |
|  |                  |   |       |              | Reduction by 1/2 if small entity | - -         |
|  |                  |   |       |              | TOTAL APPLICATION FILING FEE     | \$ 2,616.00 |

7. ■ A check in the amount of \$2,726.00 to cover the \$110 one month extension of time and the \$2,616 filing fee is enclosed.
8. ■ The Commissioner is hereby authorized to charge any fees which may be required including fees due under 37 C.F.R. § 1.16 and any other fees due under 37 C.F.R. § 1.17, or credit any overpayment during the pendency of this application to Deposit Account No. 06-0916.
9. ■ Amend the specification by inserting before the first line, the sentence:

--This is a continuation of application Serial No. 08/423,477, filed April 19, 1995, which is a division of application Serial No. 07/656,796, filed February 19, 1991, which is a division of application Serial No. 07/038,332, filed April 13, 1987, now U.S. Patent 5,034,511, all of which are incorporated herein by reference.--

10. ■ New formal drawings are enclosed.
11. ■ The prior application is assigned of record to: Institut Pasteur, Paris, France.
12. ■ Priority of application Serial No. 86401380.0, filed on June 23, 1986 in France is claimed under 35 U.S.C. § 119. A certified copy
 

☐ is enclosed or    ☒ is on file in the prior application.
13. ☐ A verified statement claiming small entity status
 

☐ is enclosed or    ☐ is on file in the prior application.

14. ■ The power of attorney in the prior application is to at least one of the following: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Heffer, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter, Reg. No. 27,680; Dennis P. O'Reilly, Reg. No. 27,932; Allen M. Sokal, Reg. No. 26,695; Robert D. Bajefsky, Reg. No. 25,387; Richard L. Stroup, Reg. No. 28,478; David W. Hill, Reg. No. 28,220; Thomas L. Irving, Reg. No. 28,619; Charles E. Lipsey, Reg. No. 28,165; Thomas W. Winland, Reg. No. 27,605; Basil J. Lewris, Reg. No. 28,818; Martin I. Fuchs, Reg. No. 28,508; E. Robert Yoches, Reg. No. 30,120; Barry W. Graham, Reg. No. 29,924; Susan Haberman Griffen, Reg. No. 30,907; Richard B. Racine, Reg. No. 30,415; Thomas H. Jenkins, Reg. No. 30,857; Robert E. Converse, Jr., Reg. No. 27,432; Clair X. Mullen, Jr., Reg. No. 20,348; Christopher P. Foley, Reg. No. 31,354; John C. Paul, Reg. No. 30,413; David M. Kelly, Reg. No. 30,953; Kenneth J. Meyers, Reg. No. 25,146; Carol P. Einaudi, Reg. No. 32,220; Walter Y. Boyd, Jr., Reg. No. 31,738; Steven M. Anzalone, Reg. No. 32,095; Jean B. Fordis, Reg. No. 32,984; Roger D. Taylor, Reg. 28,992; Barbara C. McCurdy, Reg. No. 32,120; James K. Hammond, Reg. No. 31,964; Richard V. Burgujian, Reg. No. 31,744; J. Michael Jakes, Reg. No. 32,824; Thomas W. Banks, Reg. No. 32,719; Christopher P. Isaac, Reg. No. 32,616; Bryan C. Diner, Reg. No. 32,409; M. Paul Barker, Reg. No. 32,013; Andrew Chanhon Sonu, Reg. No. 33,457; David S. Forman, Reg. No. 33,694; Vincent P. Kovalick, Reg. No. 32,867; James W. Edmondson, Reg. No. 33,871; Michael R. McGurk, Reg. No. 32,045; Joann M. Neth, Reg. No. 36,363; Gerson S. Panitch, Reg. No. 33,751; Cheri M. Taylor, Reg. No. 33,216; Charles E. Van Horn, Reg. No. 40,266; Linda A. Wadler, Reg. No. 33,218; Jeffrey A. Berkowitz, Reg. No. 36,743; Michael R. Kelly, Reg. No. 33, 921; James B. Monroe, Reg. No. 33,971; Doris Johnson Hines, Reg. No. 34,629; Allen R. Jensen, Reg. No. 28,224; Lori Ann Johnson, Reg. No. 34,498; and David A. Manspeizer, Reg. No. 37,540.

15. ■ The power appears in the original declaration of the prior application.

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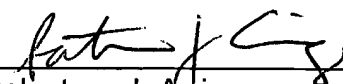
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16. ☐ Since the power does not appear in the original declaration, a copy of the power in the prior application is enclosed.
17. ☒ Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005-3315, **Customer Number 22,852**.
18. ☐ Recognize as associate attorney \_\_\_\_\_  
\_\_\_\_\_  
(name, address & Reg. No.)
19. ☐ Also enclosed is \_\_\_\_\_  
\_\_\_\_\_

**PETITION FOR EXTENSION.** If any extension of time is necessary for the filing of this application, including any extension in the parent application, Serial No. 08,423,477, filed April 19, 1995, for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 06-0916. A duplicate copy of this paper is enclosed for use in charging the deposit account.

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By:   
Salvatore J. Arrigo  
Reg. No.: 46,063

Date: January 23, 2001

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
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 Marc ALIZON et al. )  
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 Application No.: Unassigned ) Group Art Unit: Unassigned  
 (Cont. of U.S.S.N. 08/423,477 (4/19/95)) )  
 )  
 Filed: January 23, 2001 ) Examiner: Unknown  
 )  
 For: VARIANT OF LAV VIRUSES )

Assistant Commissioner for Patents  
 Washington, D.C. 20231

Sir:

**SUBMISSION OF FORMAL DRAWINGS**

Subject to the approval of the Examiner, applicants submit the attached 34 sheets of Formal Drawings (Figs. 1A, 1B, 2, 3A-1, 3A-2, 3B-1, 3B-2, 3C-1, 3C-2, 3D-1, 3D-2, 3E-1, 3E-2, 3F-1, 3F-2, 4A, 4B, 5, 6A-1, 6A-2, 6A-3, 6B-1, 6B-2, 6B-3, 6B-4, 7A, 7B, 7C, 7D, 7E, 7F, 7G, 7H, and 7I). If the Formal Drawings for any reason are not in full compliance with the pertinent statutes and regulations, please so advise the undersigned.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
 GARRETT & DUNNER, L.L.P.

By: 

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Date: January 23, 2001

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